



Seneca Foods Corporation

August 3, 2004

Dockets Management Branch (HFA-305)
Food and Drug Administration
5630 Fishers Lane, Room 1061
Rockville, Maryland 20852

**Re: Docket No. 2003P-0574; *Listeria Monocytogenes*;
Petition to Establish a Regulatory Limit; 69 Fed. Reg. 29564
(May 24, 2004)**

Dear Sir or Madam:

Seneca Foods Corporation appreciates this opportunity to offer comments concerning the December 24, 2003 Citizen Petition seeking a regulatory limit of 100 colony forming units per gram (cfu/g) for *Listeria monocytogenes* in ready-to-eat foods that do not support the growth of these microorganisms. Seneca Foods Corporation is primarily a vegetable processing company with facilities located throughout the United States. Seneca produces both canned and frozen vegetable products sold under several labels.

Seneca Foods Corporation supports adoption of the proposed regulatory limit, and urges the Food and Drug Administration (FDA) to grant the regulatory limit as expeditiously as possible following the closure of the comment period.

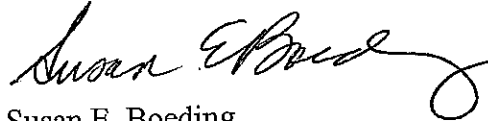
It is our belief that the requested standard of 100 cfu/g in the foods that Seneca Foods Corporation produces would not increase food safety risk to the general public. This belief stems from general scientific agreement that the public health impact of *L. monocytogenes* is almost exclusively a function of foods that contain high numbers of the organism, well in excess of the proposed limit of 100 cfu/g, and that low levels of *L. monocytogenes* in foods that do not support its growth present a minimal risk of harm.

Seneca Foods maintains high standards for food safety through various programs and policies, including facility sanitation, current good manufacturing practices (CGMP) programs, HACCP, and microbiological surveillance. The plant conditions and programs at Seneca facilities do not promote the growth of *L. monocytogenes*, but, as with other food industries, we cannot guarantee that the facilities are free of this microorganism. In this regard, it becomes an economic burden when facing an unachievable zero tolerance standard. In no way would an established standard of 100 cfu/g *L. monocytogenes* cause us to lessen our food safety practices.

The proposed regulatory limit will facilitate adoption of targeted, science-based measures by permitting FDA and industry to focus resources and attention on cell numbers of public health significance. Accordingly, as a result of the risk assessment and other data and information described in the Petition, there is now a compelling scientific basis upon which FDA policies on *L. monocytogenes* may be reexamined.

To establish a science-based standard for the control of *L. monocytogenes* in food and prevention of listeriosis, Seneca Foods Corporation urges FDA to adopt the proposed regulatory limit as soon as possible. Seneca Foods Corporation looks forward to working with the agency and would be pleased to discuss with CFSAN any of the points made in these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan E. Boeding", with a stylized flourish at the end.

Susan E. Boeding
Vice President Technical Services and
Development